

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Cargill, Incorporated,

Movant,

vs.

Public Joint Stock Company National Bank Trust,

Respondent.

No. 23 Misc. _____

**DECLARATION OF DANIEL L. STEIN, ESQ. IN
SUPPORT OF CARGILL, INCORPORATED’S MOTION TO QUASH**

I, Daniel L. Stein, Esq., under penalty of perjury, declare as follows:

1. I am a partner at the law firm of Weil, Gotshal & Manges LLP (“Weil”), counsel for Movant Cargill Incorporated (Cargill) in the action captioned *Cargill Incorporated v. Public Joint Stock Company National Bank Trust*, currently pending in the United States District Court for the Southern District of New York. I am admitted to the bar of New York.

2. I submit this declaration in support of Cargill’s Motion to Quash the subpoenas issued pursuant to the Order by Hon. Paul G. Gardephe on April 18, 2023, in *In Re Ex Parte Application, Under 28 U.S.C. § 1782 of Public Joint Stock Co. National Bank Trust*, 1:23-mc-00006-PGG, Dkt. No. 11 (the “Order”).

3. The facts and circumstances contained in this Declaration are within my own personal knowledge.

4. On January 10, 2023, Applicant filed a Motion for Discovery Application for an Order pursuant to 28 U.S.C. § 1782 to conduct discovery for use in a foreign proceeding. On March 10, 2023, Cargill filed a letter advising the Court of Cargill’s interest in the Application and requesting an opportunity to be heard before the Court acted on the Application on an *ex parte* basis. On April 18, 2023, the Court granted the Application and closed the case.

Beginning on or about April 20, 2023, Applicant served subpoenas on various banks. Cargill now moves to quash the subpoenas and incorporates the Applicant's filings in the terminated matter as exhibits.

5. Attached to this Declaration are true and correct copies of the following documents:

- Exhibit 1: Hon. Paul G. Gardephe's April 18, 2023 Order granting Applicant's Motion for Discovery Pursuant to 28 U.S.C. § 1782 to Conduct Discovery For Use in Foreign Proceedings
- Exhibit 2: Applicant's *Ex Parte* Application For An Order Pursuant to 28 U.S.C. § 1782 To Conduct Discovery For Use In Foreign Proceedings
- Exhibit 3: Applicant's Memorandum of Law In Support of *Ex Parte* Application for an Order under 28 U.S.C. § 1782 To Conduct Discovery For Use In Foreign Proceedings
- Exhibit 4: Declaration of Neil Dooley
- Exhibit 5: Applicant's Exhibit 1 to Declaration of Neil Dooley
- Exhibit 6: Applicant's Exhibit 2 to Declaration of Neil Dooley
- Exhibit 7: Applicant's Exhibit 3 to Declaration of Neil Dooley
- Exhibit 8: Applicant's Exhibit 4 to Declaration of Neil Dooley
- Exhibit 9: Applicant's Exhibit 5 to Declaration of Neil Dooley
- Exhibit 10: Applicant's Exhibit 6 to Declaration of Neil Dooley
- Exhibit 11: Applicant's Exhibit 7 to Declaration of Neil Dooley
- Exhibit 12: Applicant's Exhibit 8 to Declaration of Neil Dooley
- Exhibit 13: Applicant's Exhibit 9 to Declaration of Neil Dooley
- Exhibit 14: Applicant's Exhibit 10 to Declaration of Neil Dooley
- Exhibit 15: Applicant's Exhibit 11 to Declaration of Neil Dooley
- Exhibit 16: Applicant's Exhibit 12 to Declaration of Neil Dooley
- Exhibit 17: Applicant's Exhibit 13 to Declaration of Neil Dooley

- Exhibit 18: Applicant's Exhibit 14 to Declaration of Neil Dooley
- Exhibit 19: Applicant's Exhibit 15 to Declaration of Neil Dooley
- Exhibit 20: Applicant's Exhibit 16 to Declaration of Neil Dooley
- Exhibit 21: Applicant's Exhibit 17 to Declaration of Neil Dooley
- Exhibit 22: Applicant's Exhibit 18 to Declaration of Neil Dooley
- Exhibit 23: Applicant's Exhibit 19 to Declaration of Neil Dooley
- Exhibit 24: Declaration of Charles Michael
- Exhibit 25: Applicant's Exhibit 1 to Declaration of Charles Michael
- Exhibit 26: Applicant's Exhibit 2 to Declaration of Charles Michael
- Exhibit 27: Applicant's Exhibit 3 to Declaration of Charles Michael
- Exhibit 28: Applicant's Exhibit 4 to Declaration of Charles Michael
- Exhibit 29: Applicant's Exhibit 5 to Declaration of Charles Michael
- Exhibit 30: Applicant's Exhibit 6 to Declaration of Charles Michael
- Exhibit 31: Applicant's Exhibit 7 to Declaration of Charles Michael

I declare under the penalty of perjury under the laws of the United States that the foregoing is true to the best of my knowledge.

Executed this day of April 28, 2023

/s/ Daniel L. Stein
Daniel L. Stein